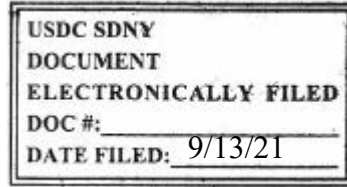


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



City of Almaty, et al.,

Plaintiffs,

—v—

Felix Sater, et al.,

Defendants.

19-cv-2645 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

On January 15, 2021, Plaintiffs filed a motion for default judgment as to Defendant Ferrari Holdings LLC. Dkt. No. 269. A motion for default judgment typically requires the Court to “determine whether the plaintiff’s allegations are sufficient to establish the defendant’s liability as a matter of law.” *Asesorol Bus. Partners LLC v. Seatech Worldwide Corp.*, No. 19-CV-11512 (AJN), 2021 WL 918256, at *2 (S.D.N.Y. Mar. 10, 2021). By contrast, a motion to set aside a default requires the Court to determine whether “good cause” exists, as assessed by the willfulness of default, Defendant’s available defenses, and prejudice to Plaintiffs. *King v. Regen Med. Mgmt., LLC*, No. 20-CV-6050 (AJN), 2021 WL 4066598, at *1 (S.D.N.Y. Sept. 7, 2021).

By September 20, 2021, Plaintiffs shall file a supplemental brief that provides Plaintiffs’ view on the appropriate standard that should guide the Court’s determination and, if necessary, explains whether Plaintiffs have adequately pleaded the elements of an unjust enrichment claim.

SO ORDERED.

Dated: September 13, 2021
New York, New York

A handwritten signature in black ink, appearing to read "Alison J. Nathan".

ALISON J. NATHAN
United States District Judge